GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Registration & Stamps Department – Allegation of corruption against Smt.P.G.S.Kalyani, former District Registrar, Registration & Stamps, Vizianagaram and Smt.Jammi Vijaya, Office Sub-ordinate, O/o the District Registrar, Registration & Stamps, Vizianagaram – Trapped by Anti Corruption Bureau on 13-9-2011 – Disciplinary proceedings initiated – case entrusted to Commissioner of Inquiries – Inquiry Report received – Examined – Disciplinary Proceedings concluded - Orders – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.250 **Dated:16-02-2018**

Read the following:

1. DSP, ACB, Vizianagaram vide Cr.No.14/RCT-ACB/VZM/2011, dt:16-9-2011.
2. DG, ACB Lr.Rc.No.199/RCT-VVZ/2011, dt:14-7-2013.
3. DG, ACB Lr.Rc.No.199/RCT-VVZ/2011-S12, dt:15-11-2014.
4. Govt., Memo.No.40169/Vig.II(1)/2011-8, dt:27-1-2015.
5. DG, ACB Lr.Rc.No.199/RCT-VVZ/2011-S12, dt:21-3-2017.
6. G.O.Rt.No.370, Rev (Vig.II) Deptt., dt:11-4-2017.
7. G.O.Rt.No.371, Rev (Vig.II) Deptt., dt:11-4-2017.
8. D&IG, R&S, AP., Lr.No.Vig.III/16341/2011, dt:2-6-2017 along with defense statements of Smt.P.G.S.Kalyani, former DR, R&S, Vizianagaram, presently DR, R&S (MV&A), Visakhapatnam and Smt.Jammi Vijaya, OS, SRO, Vizianagaram (West).
9. Inspector of Police, ACB, Vizianagaram Range, Vizianagaram Lr Rc.No.199/RCT-VVZ/2011, dt:30-6-2017.
10. G.O.Rt.No.1069, Rev (Vig.II) Deptt., dt:23-10-2017.
11. G.O.Rt.No.1201, Rev (Vig.II) Deptt., dt:15-11-2017.
12. Sri Lingaraj Panigrahi, IAS, Special Chief Secretary to Government / Member, COI vide D.O.Lr.No.84/COI-LP/2017, dt:28-12-2017 along with Inquiry Report.

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ORDER:

Whereas, in the reference 1st read above, the Deputy Superintendent of Police, Anti Corruption Bureau, Vizianagaram has reported that Smt.P.G.S.Kalyani (Accused Officer-1), former District Registrar, Registration & Stamps, Vizianagaram along with Smt.J.Vijaya (Accused Officer-2), Office Sub-ordinate, O/o the District Registrar, Registration & Stamps, Vizianagaram were trapped by the Anti Corruption Bureau authorities on 13.09.2011 when Accused Officer-1 demanded and accepted the tainted amount of Rs.4,000/- through Accused Officer-2 from the complainant Sri Veluri Rama Narayana Rao, R/o S.Kota (Village & Mandal), Vizianagaram for doing official favour for revoking the temporary suspension orders and to issue of certificate of renewal of License of the Stamp Vendor of the Complainant.

2. And whereas, in the reference 2nd read above, the Director General, Anti Corruption Bureau has furnished final report to Government duly recommended to prosecute both the above Accused Officers in a court of law for the above noticed lapse.

3. And whereas, Government after careful examination of the matter have entrusted the case to Commissioner of Inquiries for conducting detailed enquiry against Accused Officer-1 Smt.P.G.S.Kalyani, former District Registrar, Vizianagaram and Accused Officer-2 Smt.Jammi Vijaya, Office Sub-ordinate, O/o the District Registrar, Registration & Stamps, Vizianagaram.

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4. Whereas, disciplinary proceedings have been initiated against Accused Officer-1 Smt.P.G.S.Kalyani, former District Registrar, Registration & Stamps, Vizianagaram, presently District Registrar, Registration & Stamps (Market Value & Audit), Visakhapatnam under Rule 20 of Andhra Pradesh Civil Services (Classification Control & Appeal) Rules, 1991 in the reference 6th read above duly framing the following charge:

> That Smt. Potu Gowri Sesha Kalyani, W/o K. Laxmi Kumar joined in Government Service as Probationary District Registrar through Andhra Pradesh Public Service Commission (Group-I) on 27-07-2009, after completion of Probationary District Registrar, she joined as District Registrar, Vizianagaram on 09-09-2010 and worked till 13-09-2011. While working as District Registrar at Vizianagaram, Smt. P.G.S. Kalyani has demanded and directed the complainant to hand over the bribe amount to Smt. J. Vijaya and Smt. J. Vijaya accepted amount of Rs.4,000/- as bribe from complainant Sri Veluri Rama Narayana Rao, S/o Late Seshagiri Rao, 55 years, S.Kota Village and Mandal, Vizianagaram District on 13.09.2011 in the Office of the District Registrar, Vizianagaram situated at Kotha Agraharam, 1st Line, Vizianagaram for doing official favour i.e. for revoking temporary suspension order and issuing of certificate of renewal of license of stamp vendor and failed to maintain absolute integrity and thereby violated the provisions of Andhra Pradesh Civil Services (Conduct) Rules 1964.

5. And in respect of Accused Officer-2 Smt.Jammi Vijaya, Office Sub-Ordinate, O/o the District Registrar, Registration & Stamps, Vizianagaram disciplinary proceedings has been initiated under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 in the reference 7th read above duly framing the following charge:

> That Smt. Jammi Vijaya, W/o Late Radha Krishna joined in Government Service as Office Subordinate on 18-06-2009, she joined at O/o the District Registrar, Vizianagaram and worked till 13-09-2011. While working as Office Subordinate at O/o the District Registrar, Vizianagaram, Smt. Jammi Vijaya had knowingly accepted amount of Rs.4,000/- as bribe, as per the direction of Smt. P. Gowri Sesha Kalyani, District Registrar from complainant Sri Veluri Rama Narayana Rao, S/o Late Seshagiri Rao, 55 years, S. Kota Village and Mandal, Vizianagaram District on 13.09.2011 in the Office of the District Registrar, Vizianagaram situated at Kotha Agraharam, 1st Line, Vizianagaram for doing official favour i.e. for revoking temporary suspension order and issuing of certificate of renewal of license of stamp vendor and failed to maintain absolute integrity and thereby violated the provisions of Andhra Pradesh Civil Services (Conduct) Rules 1964.

6. Whereas, in the reference 8th read above, the Director & Inspector General, Registration & Stamps, Andhra Pradesh has furnished the Written Statement of Defense of both the Charged Officers.

7. And whereas, in the reference 9th read above, the Inspector of Police, Anti Corruption Bureau, Vizianagaram Range have furnished the investigating material for taking necessary action in the matter.

8. Government after careful examination of the matter have entrusted the case to Sri Lingaraj Panigrahi, IAS, Commissioner of Inquiries in the reference 11th read above for conducting regular enquiry into the charges framed against both the above mentioned Charged Officers and to submit the inquiry report to Government as per the scheme of Vigilance Commission for taking necessary action in the matter.

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9. And whereas, in the reference 12th read above, the Inquiring Authority i.e., Sri Lingaraj Panigrahi, IAS, Commissioner of Inquiries (now Retired) after due examination has furnished the inquiry report with the following analysis and assessment of evidence.

Smt. P.G.S. Kalyani Charged Officer-1 while working as District Registrar, Registration & Stamps, Vizianagaram demanded and directed Sri Veluri Rama Narayana Rao, Stamp Vendor to pay Rs. 4,000/- bribe for revoking the temporary suspension and issuing certificate for renewal. She directed him to handover the bribe amount to Smt. J.Vijaya, Office Subordinate Charged Officer-2 on behalf of her and Smt. J.Vijaya Charged Officer-2 accepted Rs.4.000/-.

As per the deposition of the witness, he has furnished the following brief facts of the case:

PW.1 Smt. A.Naga Lakshmi, Deputy Inspector General, Registration & Stamps, Vizianagaram during her inspection of records of S.Kota Sub-Registrar Office found that Sri V.Rama Narayana Rao, Stamp vendor (Complainant) was found absent in the Munsiff Court Premises. After inspection, she recommended the Charged Officer-1 to take disciplinary action. As per her order Charged Officer-1 suspended him. He (the complainant) in a petition to the Anti Corruption Bureau that he has met Charged Officer-1 several times for revocation of suspension. But instead of doing the work she has demanded a bribe of Rs.4,000/-. The Anti Corruption Bureau on receipt of complaint arranged for a trap and asked him to come on 13th September, 2011 along with the bribe amount. After completion of all the pre-trap proceedings, Anti Corruption Bureau officials along with the complainant and mediator went to the District Registrar Office. The complainant went inside the chamber of the Charged Officer-1, Charged Officer-1 informed him that she has issued revocation of the suspension order. She did not demand any bribe amount. Thereafter he came out of the chamber and met Charged Officer-2 who is the office subordinate tried to give the amount to Charged Officer-2, but she refused to take the amount and pushed the amount with both her hands. Thereafter, he kept the amount in the wooden Almairah situated at the side of the bath room in the hall, came out and signaled Anti Corruption Bureau officials. Anti Corruption Bureau officials conducted chemical test on both the Charged Officers. The test conducted on Charged Officer-1 was negative and Charged Officer-2 hand turned pink colour. Amount was recovered from the wooden almairah. Above mentioned facts are as per the version of the complainant who deposed as PW.5. Since the complainant turned a hostile witness, presenting officer requested to cross examination but, out of the cross examination nothing came out. The complainant reiterated the above version. He stated that Charged Officer-1 has never demanded any bribe amount. It is only one Mr.Sanyasi Rao who misguided him to file the false complaint against the Charged Officer-1 to the Anti Corruption Bureau.

PW.2 Smt. R.Uma Kalyani, who is the Senior Assistant, Registration & Stamps, Sub Registrar Office, S.Kota deposed that much before the trap she had the instance of Charged Officer-1 has prepared the file relating to revocation of suspension of stamp vendor. Other employees who are examined as PW.3, PW.4, PW.8 and PW.9 depositions are not very relevant to the trap case since both stated that they have not witnessed anything relevant to the trap.

PW.6 the mediator deposed that Rs.4000/- was recovered from the wooden almairah and chemical test conducted on both hand fingers of Charged Officer-1 proved negative and Charged Officer-2

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proved positive. He further stated that Charged Officer-1 on inquiry by the Anti Corruption Bureau informed that she has neither demanded nor accepted any bribe amount or not instructed to pay any amount to Charged Officer-2. The analysis of the case gathered during the process of inquiry, the following conclusion can be made:

At the time of trap, there was no official work of the complainant pending with the Charged Officer-1 since as per deposition of PW.2, the revocation of suspension order was issued much before the date of trap. Therefore, at the time of trap no official work of the complainant was pending.

The complainant himself has stated that Charged Officer-1 has never demanded or accepted any illegal gratification from him. Charged Officer-2 refused to take the illegal gratification amount when she was offered the same. Thus, it is very clear that there was no official work of the complainant pending before Charged Officer-1, there was no demand or acceptance of the bribe. Therefore, none of the ingredients of Prevention of Corruption Act are proved. Charge against Charged Officer-1 is not substantiated, she may be fully exonerated from all the charges. The only charge against Charged Officer-2 is that she accepted the bribe amount on behalf of Charged Officer-1. As per the deposition of the complainant, when she offered money she declined to receive the amount and pushed away the amount using both of her hands. Therefore, the charge against her is also baseless and not proved. Charged Officer-2 is also fully exonerated from the charges.

10. Whereas, with the above analysis and assessment of evidence, the Inquiring Authority has stated that the charge framed against the Charged Officer-1 Smt. P.G.S.Kalyani, former District Registrar, Vizianagaram District and presently District Registrar, Registration & Stamps, Market Value & Audit, Visakhapatnam and against the Charged Officer -2 Smt. Jammi Vijaya, Office Subordinate, O/o the District Registrar, Vizianagaram, presently Sub Registrar Office, Vizianagaram (West) is not substantiated and hence recommended to fully exonerate them from the charges framed against them.

11. And whereas, Government after careful examination of the matter have considered to accept the findings of the Inquiring Authority in respect of both the above Charged Officers and therefore, decided to drop further action against them as the charge framed against them are not substantiated in the regular inquiry conducted by the Inquiring Authority. Accordingly, Government hereby order to drop further action against the both the Charged Officers viz., Charged Officer-1 Smt. P.G.S.Kalyani, former District Registrar, Vizianagaram District and presently District Registrar, Registration & Stamps, Market Value & Audit, Visakhapatnam and Charged Officer-2 Smt. Jammi Vijaya, Office Subordinate, O/o the District Registrar, Vizianagaram, presently Sub Registrar Office, Vizianagaram (West) duly exonerating them from the charges framed vide reference 6th and 7th read above respectively.

12. The Director & Inspector General, Registration & Stamps, Andhra Pradesh shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To

Smt. P.G.S.Kalyani, former District Registrar, Vizianagaram District and presently District Registrar, Registration & Stamps, Market Value & Audit, Visakhapatnam (through the Director & Inspector General, Registration & Stamps, Andhra Pradesh with a request to serve the order and furnish the served copy to Government for record).

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Smt Jammi Vijaya, Office Subordinate, O/o the District Registrar,
Vizianagaram, presently Sub Registrar Office, Vizianagaram (West)
(through the Director & Inspector General, Registration & Stamps,
Andhra Pradesh with a request to serve the order and furnish the served
copy to Government for record).

The Director & Inspector General, Registration & Stamps, Andhra Pradesh,
Eedupugallu, Vijayawada.

Copy to:

The Secretary to the Vigilance Commissioner,
Andhra Pradesh Vigilance Commission, A.P.Secretariat, Velagapudi,
Guntur District.

The Commissioner of Inquiries, General Administration Department,
Andhra Pradesh Secretariat, Velagapudi.

The Director General, Anti Corruption Bureau, Andhra Pradesh,
P.N.Bus Station, NTR Administrative Block, II Floor, Vijayawada.

SF / SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER